



approved
12/1/21

CARVER CONSERVATION COMMISSION MINUTES OF OCTOBER 6, 2021 MEETING

Present: Chairman Savery Moore, Alan Germain, Jim Nauen, Dan Badger, Peg Blackwell, Environmental Scientist/ Agent Brooke Monroe, and Recording Secretary Ashley Swartz.

Mr. Moore opened the meeting at 7:04P.M.

Lot 201A Tremont Street – Wall

Plans presented for the stabilization of the walls and “never see the walls again”. Rob DeRoiser (Engineer) discussed how they would drop the walls into the trench, cover them with native materials, and. Danny spoke about the jude material working very well for him in the past. Brooke asked if the old wall was being retained and covered – Rob said this would maintain the materials from falling into the resource area as well as maintaining the slope. Ms. Blackwell said “if it works” and Danny said “it will work”. Mr. Badger asked Rob if there was a concern about drainage. Rob said the wall is small and unreinforced so it will break up. Mr. Germain spoke about his frustrations now that there is a deck with poured foundations – which was not part of the original plans (admitted by Danny and Rob). Mr. Moore noted he is pleased with the resolution for the two walls. He is concerned that the supports for the porch went from supports to a linear foundation. Mr. Moore asked Danny why he didn’t come back to Conservation and the answer was in regards to a storm and the supports were taken out. Mr. Moore noted that didn’t satisfy his question and he should have come to Conservation. Mr. Badger argued that the pilings could have been grandfathered in but if they weren’t he couldn’t see these being approved. Mr. Moore stated that they cannot continue to do everything after-the-fact NOIs. Ms. Blackwell said we were back to asking forgiveness instead of permission. Mr. Badger said in fairness to everyone else that comes in-front of this board then we need to hit the “rewind” button and start the process over. Mr. Moore suggested taking sections out and replacing with sonotubes – asking them to come back to with a redesign.

Mr. Germain argued that taking the cutting the linear wall down and putting the sonotubes on top means the wall would still exist and someone could unbury it and build it back up to later close it in. He also made an argument why it was not a good idea to take the whole wall out because of the amount of disturbance it will cause. Mr. Moore noted he was in favor of the option of cutting out portions. There was discussion of how exactly this would be taken out – Danny said it would be done without an excavator. Ms. Blackwell asked if this compromised the stability of the deck in any way – Rob and Danny said this would not. Mr. Badger would like to see something from Rob that this does not compromise the integrity of the deck. Mr. Moore wants revised plans with the cut outs in the new foundation. It was asked to have the revised plans in two weeks for the deck and the stop work order would be lifted for the work needed to complete the repairs of the

current plans (on the slope). There needs to be a revision on the foundation of the deck which will be submitted in two weeks, prior to the next meeting. Danny will let Brooke know when he resumes work.

Motion made to lift the stop work order so work can continue for the current plans for the slope made by Mr. Nauen, seconded by Mr. Germain. Approved 4-1-0.

Request for Extension – Patriot Pines – DEP SE#126-553

Motion to approve the request for extension made by Mr. Germain, seconded by Ms. Blackwell, approved unanimously 5-0-0.

Discussion on culvert a Cranebrook Restaurant – John Mason

Continued to October 20

Discussion of potential uses of 44 Lakeview Street

Request for COC – 175 Plymouth Street – DEP SE#126-335

Motion to approve the request for the COC made by Mr. Germain, seconded by Ms. Blackwell, approved unanimously 5-0-0.

Civic Day at Carver Middle High School – October 14

Request for Extension – 26 South Main Street DEP SE#126-571

Motion to approve the extension made by Mr. Germain, seconded by Ms. Blackwell, approved unanimously 5-0-0.

129 Center Street – DEP SE#126-614 – order of conditions

Easement denied but order of conditions not signed. They are pursuing it so they need the order of conditions in order. Motion made to put the denial in writing with order of conditions made by Mr. Germain, seconded by Mr. Nauen, approved unanimously 5-0-0.

Request for COC – 174 Plymouth Street – DEP SE#126-517

Motion to approve the request for a COC made by Mr. Germain, seconded by Mr. Nauen, approved unanimously 5-0-0.

Work at 40 Lakeview Street – Discussion

Michael Duffy, property owner was present for the discussion.

Mr. Moore said that someone notified him of the excavation work being done close to a property owned by Conservation. He noted that everything seemed in order except the pile of soil that was on Town of Carver property. The pile of soil needs to be moved so there is not further disturbance to the Conservation property as well as make sure it does not come any closer to the pond. Mr. Moore explained that dropping dirt that close to wetlands is considered alteration. Two things need to happen – first the dirt needs to be moved, then the condition needs to be assessed. There was discussion if a NOI was necessary because the work was done outside the buffer zone. The property owner plans to move the dirt within the week and was hoping he could have someone show him the property line was so he knows where he could move the dirt to. Mr. Moore showed Michael the property line on his phone (pictures he had taken earlier that

day). Mr. Germain pointed out that the solution could move the pile out of the 100-foot buffer, move the materials, and keep the loom where it is until they're done using it. Mr. Moore reviewed the by-laws with Michael just so he was aware of what he could and couldn't do. He discussed vista-pruning and touched on some points of what he would need to file for.

Discussion of the timber poles being used for the Solar Projects on Tremont Street and Rochester Road

Mr. Moore stated that there were correspondences provided by Brooke from Weston and Sampson discussing the use of the timber pilings for the two solar projects that Pine Gate is doing in Carver. There have been questions about the use of timber and they reached out to the solar company. The helical pilings weren't stable enough (determined once work began) and it was decided as a practical measure to use the timbers as a replacement. Mr. Moore said the solar company should come in for a future meeting to discuss in detail why they did this and also the safety measures. Mr. Badger was curious about how the poles are treated and how they could potentially harm the water and any possible adverse effects. Mr. Germain asked about a particular quote from the email regarding the approved industrial uses and questioned if we had access to that list of uses. The quote continued about the water table and said "we are not chemists" and said we needed to get a specialist in to figure out what exactly is going into the ground.

Mr. Germain discussed his faith in Beals and Thomas but wanted information on exactly what was going on and wanted a real scientist in here answering questions.

There was conversation from attendees about their concerns, suggesting a stop work order, a concern of what if these catch fire. Mr. Moore wants an expert on water aquifers, peat levels, the pesticides used and its effect on the poles, etc. There is also a mention of having someone from the fire department present.

Mr. Germain made a motion for an immediate stop work order for 62 Rochester Road and 360 Pine Street Pine Gate Renewables, their engineer and a subject matter expert pending information from an objective, impartial, professional source, seconded by Ms. Blackwell. Approved 4-1-0.

Montello Street Minor Modification to the culvert

Changing the size of the culvert (smaller).

Mr. Germain made a motion to approve the minor modification on the plans dated October 1, seconded by Ms. Blackwell, approved unanimously 5-0-0.

NEW HEARINGS

Existing Utility Right of Way

NOI DEPSE#126-629

NSTAR Electric Company dba Eversource adding to existing easements and some new poles. The proposed work will be conducted within bordering vegetated wetlands, bordering land subject to flooding and riverfront area.

3.2 miles through Carver, overhead structures, direct embedded, steel casings with back fill, H-frame, 13 square foot poles and 100x100 ft work pad to conduct work. Environmental monitor on site to make sure best practices are met, and will re-seed and mulch if necessary. All new structures and it is a reliability project – there will be 26 feet of permeant impact for pole 13. Motion to close the hearing made by Mr. Germain, seconded by Ms. Blackwell. Approved unanimously 5-0-0. Motion to approve the existing utility right of way on the plans as drawn

dated August 10, 2021 (6 pages), seconded by Ms. Blackwell, approved unanimously. Motion to approve the variance for activities within the 65-foot buffer, seconded by Ms. Blackwell, approved unanimously 5-0-0.

318 Tremont Street

NOI DEPSE# 126-628

Brian from JC Engineering – took the notes from the last meeting. (1:54:00). Site work will be required to regrade some of the area (create a shallow swale) when concrete is removed and will potentially revegetate the same way as the other side of the building. The pavement will be removed using a saw cut (on southern boundary) back to the original pavement. Proposing a split rail fence and proposing a loam and seed mix (erosion control seed mix). Mr. Germain asked if signage (5 signs) could be added along the split rail fence on the easterly side, noting the wetland area. This will be added to the order of conditions. Motion to close the hearing made by Mr. Nauen, seconded by Mr. Germain, approved unanimously 5-0-0. Motion to approve the revised plans dated October 6, 2021 as drawn and the NOI made by Mr. Germain, seconded by Ms. Blackwell, approved unanimously 5-0-0. Motion to approve the variance as drawn on the plans October 6, 2021, along with the order of conditions, seconded by Ms. Blackwell, approved unanimously 5-0-0.

MINUTES: SEPTEMBER 15

Motion to approve minutes made by Mr. Germain, seconded by Ms. Blackwell and approved 5-0-0.

CONTINUED HEARINGS

287 Tremont Street

NOI DEPSE#126-626

Continued to November 17.

Motion to adjourn Mr. Germain. Seconded by Ms. Blackwell. Unanimously approved 5-0-0.
Adjourned 9:10 PM.